



REGISTRAR OF REGULATIONS

06 FEB 27 PM 3: 08

COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487
Fax: 804-864-7481

NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 053-222, POQUOSON RIVER – BENNETT CREEK

EFFECTIVE 10 MARCH 2006

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

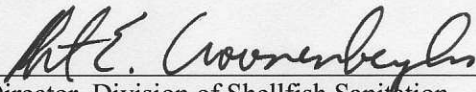
1. The "Notice and Description of Shellfish Area Condemnation Number 053-137, Poquoson River," effective 1 March 2005, is cancelled effective 10 March 2006.
2. Condemned Shellfish Area Number 053-222, shown as Sections A through D is hereby established, effective 10 March 2006. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Poquoson River – Bennett Creek, Condemned Shellfish Number 053-222, 10 March 2006" which is part of this notice.
3. Seasonally Condemned Shellfish Number 053-222, shown as Section M1, is hereby established, effective 1 April 2006, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundary of this area is shown on the map titled "Poquoson River – Bennett Creek, Condemned Shellfish Number 053-222, 10 March 2006" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 053-222

- A. The condemned area shall that portion of Roberts Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (37°09'24.3", -76°23'40.7") to map coordinate (37°09'21.2", -76°23'36.7").
- B. The condemned area shall that portion of Lyons Creek and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (37°09'02.3", -76°22'52.6") to map coordinate (37°08'60.0", -76°22'46.7").


- C. The condemned area shall include all of White House Cove and its tributaries lying upstream of a line drawn from latitude / longitude map coordinate (37°08'49.2", -76°22'26.5") to map coordinate (37°08'43.2", -76°22'17.7").
- D. The condemned area shall include that portion of Bennett Creek and its tributaries lying upstream of a line drawn from latitude / longitude map coordinate (37°08'30.8", -76°22'08.9") to map coordinate (37°08'33.7", -76°22'03.0").
- M1. The condemned area shall include that portion of Bennett Creek lying upstream of a line drawn from latitude/longitude map coordinate (37°08'52.4", -76°22'26.5") to map coordinate (37°08'50.6", -76°22'17.4"), but excluding the area defined as Section C; and lying downstream of a line drawn from latitude / longitude map coordinate (37°08'41.2", -76°22'18.9") to map coordinate (37°08'41.2", -76°22'11.5").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner

02/24/2006

Date

Virginia Department of Health
Poquoson River - Bennett Creek
Condemned Shellfish Area 053-222
10 March 2006

0 750 1,500 3,000
Feet



Poquoson River
10-46-00

Bennett Creek
10-48-00

Lloyd Bay
10-48-01

Section A
Roberts Creek
10-46-01

Lyons Creek
10-48-02

Section B

Section M1



Section C

White House
Cove
10-48-04

Section D

Easton
Cove
10-48-03

Floyds Bay
10-48-06

-  Condemned Shellfish Areas
(Sections A - D)
-  Seasonally Condemned Shellfish Area
(Section M1)

City of Poquoson